3602

BILL NO. Z-77-04-26

ZONING MAP ORDINANCE NO. Z-13-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described follows is hereby designated a B 4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

> The west 401 feet of Lots #13 and #16, in W.A. Ewing's Sub. in the N.W. quarter of Section 5, Township 30 North, Range 13 East, City of Fort Wayne, Allen County, Indiana.
>
> Lot # 13 commonly known as 1001 Coliseum Blvd. North
> Lot # 16 commonly known as 909,919,929 Coliseum Blvd. North.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY,
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on ________, the day of ________, 1976, at ________ o'clock P.M.,E.S.T.~~

DATE: 4/26/77 — Charles W. Westerman, CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	5	4			
BURNS		X			
HINGA		X			
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHIMDT, V.	X				
STIER		X			
TALARICO		X			

DATE: 6-28-77 — Charles W. Westerman, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) ~~(ANNEXATION) (SPECIAL) (APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ No. Z-13-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman, CITY CLERK

John Nuckols, PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:30 o'clock A M.,E.S.T.

Charles W. Westerman, CITY CLERK

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock A M.,E.S.T.

Robert E. Armstrong, MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 26, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-04-26: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
31st day of May, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Hold 2 week 6/21/77

Bill No. Z-77-04-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. F-5

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

WINFIELD C. MOSES, JR. - VICE CHAIRMAN — Win Moses Jr.

WILLIAM T. HINGA

DONALD SCHMIDT — D. Schmidt

SAMUEL J. TALARICO

R1 - B4 -
1/2 lot W of Coliseum

DATE 6-28-77 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT Date April 5 1977 No. 6949

Received From Ronald Stoller

Address

Fifty dollars ——— Dollars $50.00

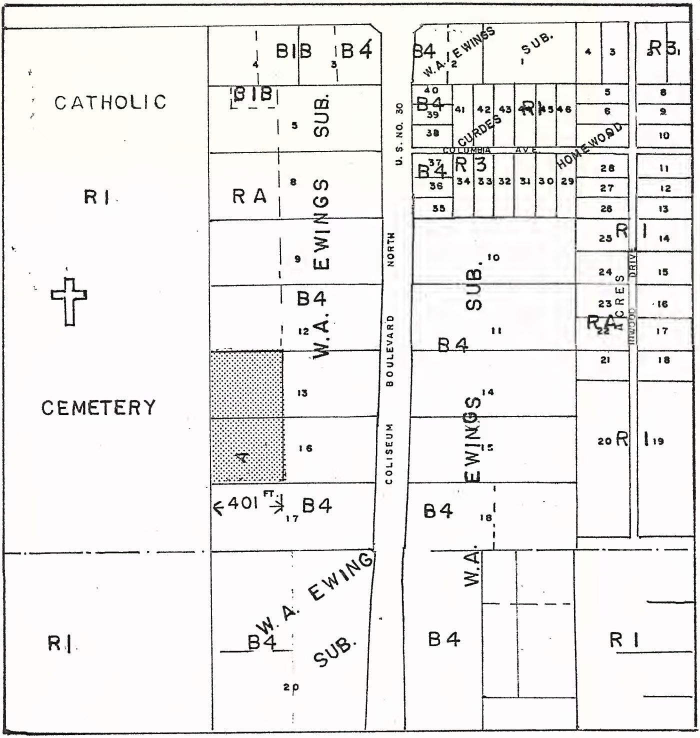
For The west 40' feet lot 13 & 16

W.A. Ewings

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	—	CASH		
AMT. PAID	50	—	CHECK	#1701	
BALANCE DUE			MONEY ORDER		

By City Plan (gr)

GrayLine BUSINESS FORM—PRODUCT OF WILSON JONES



TO BE REZONED FROM R1 TO B4

Map No. F-5
M.C.

3-77-04-26

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. ______

Date Filed ______

Intended Use ______

I/We Ronald W. Stoller and Joanne R. Stoller
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R1 District to a/an B4 District the property described as follows:

The west 401 feet of Lots # 13 and # 16, in W. A. Ewing's Sub. in the N.W. quarter of Section 5, Township 30 North, Range 13 East, City of Fort Wayne, Allen County, Indiana

Lot # 13 commonly known as 1001 Coliseum Blvd. North
Lot # 16 commonly known as 909, 919, 929 Coliseum Blvd. North

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address & Zip Code)	(Signature)
Ronald W. Stoller		Ronald W. Stoller
Joanne R. Stoller		Joanne R. Stoller

(If additional space is needed, use reverse side)

Legal Description checked by ______

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip code)	(Telephone Number)
Ronald Stoller	919 Coliseum Blvd. North 46805	422-8527

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

___

___

___

___

___

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

Number assigned by Bill Salin's office: 3602 Admn. Appr.______

DIGEST SHEET

3-77-04-26

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property: The west 401 feet of Lots # 13 and # 16 in W. A. Ewing's Sub. - Lot # 13 commonly known as 1001 Coliseum Blvd. North and Lot # 16 commonly known as 909, 919 and 929 Coliseum Blvd. North.

From "R1" to "B4"

EFFECT OF PASSAGE Property is presently zoned "R1" - Single Family Residential. Petitioners are requesting a "B4" - Roadside Business for the remainder of the two lots involved.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)______

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

June 30, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 5 and July 12, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-77-04-08
General Ordinance No. G-23-77

Bill No. G-77-06-15
General Ordinance No. G-24-77

Bill No. Z-77-04-26
Zoning Map Ordinance No. Z-13-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 3

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	
Body number of lines	90
Tail number of lines	2
Total number of lines in notice	92

COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .259¢ cents per line	$ 23.83
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
…e for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 25.33

…PUTING COST

…h of single column 9.9 ems — Size of type 5½ point

…ber of insertions 2 — Size of quad upon which type is cast 5½

…provision and penalties of Ch. 89, Acts 1967,

…that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just …no part of the same has been paid.

V. E. Gerken

…2, 19 77

Title CLERK

…ACH COPY OF …TISEMENT HERE

Notice is hereby given that on the 28th day of June, 1977 the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-77-04-26 Z-13-77 Zoning Map Ordinanace, to-wit:

BILL NO. Z-77-04-26
ZONING MAP ORDINANCE
NO. Z-13-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described follows is hereby designated a B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-5, referred to therein, established by Section 9, Article III of said Chapter as amemded, are hereby changed accordingly, to-wit:

The west 401 feet of Lots No. 13 and No. 16, in W.A. Ewing's Sub. in the N.W. quarter of Section 5, Township 30 North, Range 13 East, City of Fort Wayne, Allen County, Indiana.

Lot No. 13 commonly known as 1001 Coliseum Blvd. North Lot No. 16 commonly known as 909, 919, 929 Coliseum Blvd. North.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt.

Nays: Four, Burns, Hinga, Stier, Talarico

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk
John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do heraby certify that the above and foregoing is a full, true and complete cop of General Ordinance No. Z-13-77 passed by the Common Council on the 28th day of June, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1977.

CHARLES W. WESTERMAN
City Clerk

7—5-12

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/5-12/77

V. E. Gerken

Subscribed and sworn to before me this 12th day of July 19 77

[signature]
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	90
Tail	number of lines	2
	Total number of lines in notice	92

COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .259¢ cents per line	$ 23.83
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 25.33

DATA FOR COMPUTING COST

Width of single column ~~X~~ 9.9 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date July 12, 19 77 — Title CLERK

PUBLISHER'S AFFIDAVIT

~~State of~~ Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/5-12/77

V. E. Gerken

Subscribed and sworn to before me this 12th day of July 19 77

[signature]
Notary Public

My commission expires September 28, 1979

ACH COPY OF
TISEMENT HERE

day of June, 1977, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1977.
CHARLES W. WESTERMAN
City Clerk
7—5-12

Form Prescribed by State Board of Accounts | General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	90
Tail	number of lines	2
	Total number of lines in notice	92

COMPUTION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .259¢ cents per line — $ 23.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) — 1.50

TOTAL AMOUNT OF CLAIM — $ 25.33

...PUTING COST

...of single column 9.9 ems — Size of type 5½ point

...er of insertions 2 — Size of quad upon which type is cast 5½

...rovision and penalties of Ch. 89, Acts 1967,

...hat the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just ...o part of the same has been paid.

Arvilla DeWald

...2, 19 77 — Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/5-12/77

Arvilla DeWald

Subscribed and sworn to before me this 12th day of July 19 77

[signature]
Notary Public

My commission expires September 28, 1979

...ACH COPY OF
...TISEMENT HERE

Notice is hereby given that on the 28th day of June, 1977 the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-77-04-26 Z-13-77 Zoning Map Ordinanace, to-wit:

BILL NO. Z-77-04-26
ZONING MAP ORDINANCE
NO. Z-13-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described follows is hereby designated a B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-5, referred to therein, established by Section 9, Article III of said Chapter as amemded, are hereby changed accordingly, to-wit:

The west 401 feet of Lots No. 13 and No. 16, in W.A. Ewing's Sub. in the N.W. quarter of Section 5, Township 30 North, Range 13 East, City of Fort Wayne, Allen County, Indiana.

Lot No. 13 commonly known as 1001 Coliseum Blvd. North Lot No. 16 commonly known as 909, 919, 929 Coliseum Blvd. North.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt.

Nays: Four, Burns, Hinga, Stier, Talarico

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete cop of General Ordinance No. Z-13-77 passed by the Common Council on the 28th day of June, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1977.

CHARLES W. WESTERMAN
City Clerk

7—5-12

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	90
Tail	number of lines	2
	Total number of lines in notice	92

COMPUTION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .259¢ cents per line $ 23.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 25.33

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date July 12, 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

~~State of Indiana~~ ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

7/5-12/77

Arvilla DeWald

Subscribed and sworn to before me this 12th day of July 1977

[signature]

Notary Public

My commission expires September 28, 1979

ACH COPY OF
TISEMENT HERE

day of June, 1977, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1977.
CHARLES W. WESTERMAN
City Clerk
7—5-12